

RIDEM Environment Justice

Community Involvement Sub-Committee Meeting

Meeting Minutes from Wednesday 9-30-09 @ 2:30 pm

RI DEM, Conference Room A

Attendees:

Sandra Brownell, Terry Gray, Elizabeth Stone, Susan Forcier, Phil Brown, Steve Fischbach, Art Yatsko, and Amelia Rose.

Began 2:40 pm

Welcome & Review of Meeting Minutes

- **Terry Gray welcomes everyone back to the table for continued discussion.**
- **Reviewed meeting minutes from 9-2-09 subcommittee meeting. Discussion about what a “SEP” is. No changes recommended – minutes adopted by consensus.**

Discussion of Possible Legislative Proposal for 2010

- **A email authored by Terry Gray on school siting legislation was distributed for all to read. He explained that we submitted comments on similar school siting legislation introduced in the last legislative**

session (bill did not pass). The Director has reviewed and approved DEM moving forward in an attempt to have school siting legislation introduced at the Department's request in 2010. The next steps are to flush the proposal out further and begin drafting actual statutory language. Gray outlined the main principles of legislation and thinks it critical to focus on vapor intrusion issue.

- Discussion on possibly introducing another piece of legislation on "green cleaning" in schools and the problems associated with building schools near industrial facilities?
- Discussion of Safe Schools committee (collaboration of DOH, Dept. of Ed and DEM) that meets regularly on these types of safe school/chemical issues. DEM will circulate information on this committee which focuses on chemical use in school settings.
- Phil Brown indicated that the Brown SBRP is wanting to host a legislative summit on various environmental issues, and the school siting issue could be included (would involve MA, CT and RI).
- Discussion of pros/cons of extending school siting legislation to housing projects supported by state/federal funds. It was pointed out that this could be a lightning rod and doesn't have to necessarily stay in the final legislative proposal.
- Discussion of EPA recent announcement and new website on the problem associated with PCB's in caulk. DEM will distribute information to everyone on this recent EPA announcement.

Discussion of Presumptive Jurisdiction Research & Summary Chart

- DEM distributed a chart summarizing the responses it received from 21 states on the topic of presumptive jurisdiction in state level brownfields programs. The majority of those states which responded did not have any such presumptive jurisdiction language. Those that did - CT and NJ used as examples – had extremely involved state statutes. DEM will circulate the summary document electronically so people can utilize the links embedded in the document (e.g. to specific state regs and statutes).
- It was asked if the group could/should explore proposing a piece of legislation that isn't necessarily a property transfer law but gets at the same types of issues. It was suggested that the state should get at this issue by expanding the use of Phase I site investigations. DEM said it would look into this issue, with an eye towards closing any apparent loopholes that might exist.
- Discussion of ways to “keep people honest” during the redevelopment process and how to increase public involvement/feedback points into RI site remediation regulations.

Further Discussion of MA PIP and TAG Processes

- Steve Fischbach summarized his research into MA Technical Assistance Grants (TAG) commonly called TAG grants. MA's TAG grant program was capitalized with a bond years ago. It was noted that the TAG grant process can be horribly complicated that the MA Public Involvement Process (PIP) is overwhelmingly formal. The question arose as to whether or not DEM would need additional

statutory authority to adopt a similar PIP process here in RI – DEM attorneys will explore this further.

- DEM will further explore SEP/TAG grant support here in RI. DEM will also follow up with the RI Society of Environmental Professionals (RISEP) and inquire as to it's ability provide pro-bono services for community organizations. Maybe DEM could establish a new awards program for environmental service companies/consultants that provide much needed pro-bono work?**
- DEM will outline specific regulatory elements for turning the EJ policy into regulations (as discussed last meeting).**
- Next meeting will be 11/2 at 2:30 @ DEM.**

(Final - adopted at 11-5-09 EJ Sub-Committee Meeting)